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'Distracted' Tofe's Mother-in-Law, 86

# CIA Agent Admits House Search

By JULIAN MORRISON

A Central Intelligence Agency security officer has admitted under oath that he and a CIA agent's wife systematically searched the Georgetown home of Hans V. Tofe for classified documents last July while the agent "distracted" Mr. Tofe's 86 year-old mother-in-law.

Mr. Tofe, a CIA agent, who was fired in October because of the documents found in his home at 1667 35th-st nw, has sued CIA director Richard Helms, the two agents and the woman for taking a personal letter during "the silly cloak and dagger raid" on July 24.

He has also claimed that the "raid" was flagrant violation of his Constitutional rights against illegal search and seizure.

**IN COURT**

The description of the CIA's Georgetown operation last summer was supplied by security officer Charles D. Speake in a document filed in District Court in connection with the suit.

Security officer Speake's sworn statement corroborates Mr. Tofe's initial claim that the CIA had no warrant to conduct a search of his private home and that its agents "bamboozled" his mother-in-law, Mrs. Charlotte Leister.

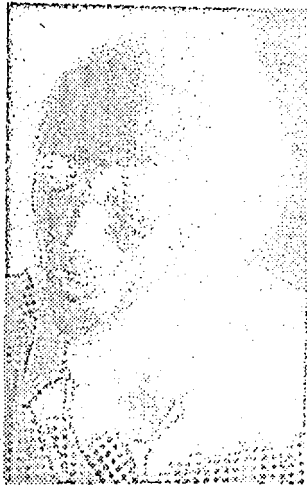
**REFUTES**

Mr. Speake's statement also refutes previously published accounts — never denied by the CIA — that the seizure of the documents by its agents was merely an "impulse", was "unpremeditated", and did not constitute a raid.

It also backs up Mr. Tofe's contention that the agents obtained entry into his home by false pretense.

The background of the "raid" is this:

On July 23 last year, a young CIA agent, Kenneth R. Slocum, and his wife, Judy, went to the

**MR. TOFE**

Tofe home allegedly to inspect a basement apartment that was for rent.

During the inspection, the CIA said later, Mr. Slocum "accidentally" discovered classified documents on the third floor of the house.

Later that day he informed his superiors at CIA headquarters in Langley, at which time security officer Speake was brought into the case. The time was the night of July 23.

Mr. Speake, in his sworn statement, said his immediate superior, William S. Wilkinson, and agent Steven L. Kuhn "generally agreed" on how to go about recovering the Tofe

papers the next day, which was a Sunday.

He said he collected Mr. and Mrs. Slocum Sunday morning and went to the Tofe home.

**ACCOUNT**

He was asked by Byron N. Scott, Mr. Tofe's lawyer, to "describe in detail everything you did while you were in the house . . ."

"After entering the house," Mr. Speake replied, "Mr. Slocum proceeded upstairs to talk to Mrs. Leister to tell her that we were there to look over the property.

"Mrs. Slocum and I proceeded to look over the premises beginning with the basement and proceeding thruout all floors including the one on which the majority of classified information was situated where we were soon joined by Mr. Slocum.

"I inspected the documents briefly and noted a variety of classified documents of various sensitivity, the compromise of which could conceivably jeopardize the best interests of National Security.

"We then left the house and stood together in front talking briefly.

"We decided that rather than announcing the true purpose of our visit to Mrs. Leister, who was a lady of advanced years, that I would distract her by talking about the premises while Mr. Slocum retrieved the documents," he said.

Mr. Speake then described how he and Mr. Slocum went inside the house while Mrs. Slocum got her husband's car and parked it outside the front door.

While he "engaged Mrs. Leister in conversation about the premises", Mr. Speake said, his partner took the classified papers to the car.

The CIA last year claimed publically that the personal letter that brought on the suit "never existed", but on Nov. 24, offered to give Mr. Tofe a certified copy of it if he'd withdraw the suit. Mr. Tofe refused.

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